

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re:) Case No. 10-53076-399
) Judge Barry S. Schermer
RHONDA M. BOYKIN,) Chapter 7
)
 Debtor.)
) **TRUSTEE'S MOTION FOR
) EXTENSION OF TIME FOR FILING
) OBJECTION TO DISCHARGE
) AND/OR COMPLAINT TO
) DETERMINE DISCHARGEABILITY
) OF DEBT AND/OR MOTION TO
) DISMISS CASE
)
) **Hearing Date:** N/A
) **Hearing Time:** N/A
) **Motion No.** _____
)
) Janice R. Valdez
) EDMO #42154MO, MoBar #42154
) Stone, Leyton & Gershman
) A Professional Corporation
) 7733 Forsyth Boulevard, Suite 500
) St. Louis, Missouri 63105
) (314) 721-7011
) (314) 721-8660 Facsimile
) jrv@stoneleyton.com**

Chapter 7 Trustee, E. Rebecca Case (“Trustee Case”) pursuant to Rule 4004 of the Federal Rules of Bankruptcy Procedure hereby files Trustee’s Motion for Extension of Time for Filing an Objection to Discharge and/or Complaint to Determine Dischargeability and/or Motion to Dismiss Case. In support of this Motion, Trustee Case states as follows:

1. The Court has jurisdiction in regard to this matter pursuant to 28 U.S.C. §§151, 157, and 1334, and Local Rule 81-9.01(B) of the United States District Court for the Eastern District of Missouri.

2. Debtor Rhonda M. Boykin (“Debtor”) filed a Chapter 7 Petition for Relief on November 15, 2010.

3. The original notice to creditors set February 22, 2011 as the deadline for filing Objections to Discharge and/or Complaints to Determine Dischargeability.

4. In reviewing the file, Trustee Case discovered a possible asset of the estate consisting of 2010 Federal and State income tax refunds ("Tax Refunds").

5. Trustee Case continued the Meeting of Creditors to February 24, 2011 to give the Debtor time to prepare and file her 2010 Federal and State income tax returns ("Tax Returns") and for Debtor to turn over the Tax Refunds, if any, to the bankruptcy estate.

6. Trustee Case requires additional time to investigate and to determine if Debtor will comply with Trustee Case's request for turnover of the Tax Returns and Tax Refunds.

7. Trustee Case believes an additional ninety (90) days should provide sufficient time to fully evaluate the matter and determine if an Objection to Discharge/Complaint to Determine Dischargeability or a Motion to Dismiss Case should be filed.

WHEREFORE, Trustee Case respectfully requests that this Court enter an Order Extending the Time for Filing an Objection to Discharge and/or a Complaint to determine Dischargeability of Debt and/or Motion to Dismiss Case by the Chapter 7 Trustee and/or the Office of the United States Trustee to, and including, May 23, 2011 and that the Court award such other and further relief as it deems just.

STONE, LEYTON & GERSHMAN
A Professional Corporation

By:

Janice R. Valdez
EDMO #42154MO, MoBar #42154
7733 Forsyth Boulevard, Suite 500
St. Louis, Missouri 63105
(314) 721-7011
(314) 721-8660 Facsimile
jrv@stoneleyton.com
Attorneys for Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was sent via first class, United States mail, postage prepaid and/or electronic notice on February 22, 2011 to:

1. Rhonda M. Boykin Debtor
10336 Seaton Dr.
St. Louis, Missouri 63137
 2. Sean Paul Attorney for Debtor
Legal Helpers, P.C.
515 Olive Street, Suite 702
St. Louis, Missouri 63101
 3. Office of the United States Trustee
111 S. 10th Street, Suite 6353
St. Louis, Missouri 63102
 4. E. Rebecca Case Chapter 7 Trustee
Stone, Leyton & Gershman
A Professional Corporation
7733 Forsyth Blvd., Suite 500
St. Louis, Missouri 63105

Janice R. Valdez